

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

SCHWING AMERICA, INC.,

Debtor.

Chapter 11 Case

Case Number BKY 09-36760

**ORDER AND NOTICE CONFIRMING PLAN  
AND FIXING TIME LIMITS**

The plan filed by debtor, its proponent, was transmitted to all creditors and other parties in interest. It has now been determined, after hearing on notice, that the requirements for confirmation set forth in 11 U.S.C. § 1129 have been satisfied.

**IT IS THEREFORE ORDERED:**

1. **CONFIRMATION OF PLAN.** The modified plan filed by debtor dated June 1, 2010, is confirmed.

2. **PROFESSIONAL FEES AND OTHER ADMINISTRATIVE EXPENSES.** All applications for award of compensation or expenses to a trustee, examiner, attorney or other professional person, and all other requests to order payment of an administrative expense, shall be made by motion under Local Rules 2016-1(b) or 3002-2(b), and shall be served and filed within 30 days after the date of this order.

3. **OBJECTIONS TO CLAIMS.** All objections to proofs of claim shall be made by motion under Local Rule 3007-1, and shall be served and filed within 30 days after the date of this order, or 30 days after the claim was filed, whichever is later.

4. **OTHER PROCEEDINGS.** All other motions, applications or complaints shall be filed within 60 days after the date of this order, except as otherwise provided in Title 11. Any time limit provided in this order may be extended or waived by the court for cause after notice and a hearing. Nothing in this order shall preclude any proceeding in another court with jurisdiction and within time limits otherwise applicable.

5. **DISCOVERY.** Unless the parties agree otherwise by written stipulation, Fed. R. Civ. P. 26(a)(1), (a)(2), (a)(3) and (f) do not apply.

6. **REPORT INFORMATION.** A separate order is entered to require the reporting of payments made postpetition to date of confirmation of the plan, and payments paid or to be paid thereafter, for pre-confirmation debts or administrative expenses.

7. **MAILING OF NOTICE.** The clerk shall forthwith mail copies of this order, as notice of entry of this order and confirmation of the plan, to the entities specified in Local Rules 9013-3(2) and to all creditors and other parties in interest. The proponent of the plan shall forthwith mail copies of this order as notice thereof to all equity security holders of the debtor.

8. Notwithstanding Fed. R. Bankr. P. 3020(e), this order is effective immediately upon entry.

Dated: July 13, 2010.

/e/ Nancy C. Dreher

Chief United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on <b>07/13/2010</b> Lori Vosejka, Clerk, by KK
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